

# **EXHIBIT B**

**IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION**

**SSG SHANE PAGE, et al.,  
individually and on behalf of  
others similarly situated,**

**Plaintiffs,**

**v.**

**BRAGG COMMUNITIES, LLC, et  
al.,**

**Defendants.**

**CASE NO. 5:20-cv-00336-D**

**DECLARATION OF THOMAS J. YOO**

I, Thomas J. Yoo, of full age, hereby declare as follows based upon my own personal information and knowledge:

1. I am an attorney-at-law in the State of California and a partner of the law firm of Holland & Knight, LLP, counsel for Defendants Bragg Communities, LLC, Bragg-Picerne Partners, LLC, Corvias Construction, LLC, and Corvias Management Army, LLC (collectively “Defendants”). I make this Declaration on Defendants’ behalf and in Support of their Oppositions to Plaintiffs’ Motion to Compel the Identities of Relevant Present and Former Employees and Contractors and Motion to Compel Discovery Regarding Displaced Families (the “Motions to Compel”).

2. On August 23, 2022, John Hughes, counsel for Plaintiffs sent a letter to counsel for Defendants purporting to be a good faith communication regarding discovery disputes between the parties. *See* ECF No. 92-21. In that communication, counsel for Plaintiffs stated “Unfortunately, it appears that we have also reached impasse on this topic and, unless Corvias

agrees to provide the information by this Friday, August 26, 2022, we will ask the Court to intervene.” *Id.*

3. On Friday morning, August 26, 2022, I received an email from Andy Penry, one of the counsel for Plaintiffs, asking for a time to discuss discovery.

4. Mr. Penry and I scheduled to speak at 10:30 am ET on Monday, August 29, 2022 and I indicated “Ok. I will call you then. I will hold off on responding to John's letter until we speak. He wanted a response on some issues by today. Have a good weekend.”

5. On Monday, August 29, 2022, I spoke with Mr. Penry about Plaintiffs’ new proposal to limit their discovery requests to seek a listing of the identities of the repair and maintenance employees and vendors for the class period. During that call, I indicated that Defendants may be amenable to such a proposal, but that I would need to confer with my client and team. I also relayed to Mr. Penry that Defendants may be willing to produce certain information regarding displaced residents.

6. After initially agreeing to hold off on motions to compel on those issues, Mr. Penry called me back within minutes. Mr. Penry indicated that, after conferring with his team, they decided to file their motion on those issues, "since it had already been written, but [they] would be willing to continue to meet and confer." Plaintiffs filed their motions the same day.

Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury under the laws of the United States of America that the foregoing statements made by me are true and correct.

  
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Thomas J. Yoo

Dated: September 12, 2022